

After careful consideration, the court finds that the Magistrate Judge did not err in finding that Plaintiff failed to show that he is likely to succeed on the merits on his Eighth Amendment deliberate indifference claim. *See generally Adams v.*

*Poag*, 61 F.3d 1537, 1545 (11th Cir. 1995) (“The question of whether governmental actors should have employed additional diagnostic techniques or forms of treatment ‘is a classic example of a matter for medical judgment’ and therefore not an appropriate basis for grounding liability under the Eighth Amendment.”) (quoting *Estelle v. Gamble*, 429 U.S. 97, 107 (1976)). Having correctly found that Plaintiff failed to satisfy the first requirement for a preliminary injunction, *see generally McDonald’s Corp. v. Robertson*, 147 F.3d 1301, 1306 (11th Cir. 1998) (setting forth the elements required to obtain a preliminary injunction), the Magistrate Judge did not error in failing to consider the other factors.

Accordingly, it is ORDERED as follows:

- (1) Plaintiff’s objection (Doc. # 52) is OVERRULED;
- (2) The Recommendation (Doc. # 47) is ADOPTED;
- (3) Plaintiff’s motion for a preliminary injunction (Doc. # 4) is DENIED;

and

(4) This action is REFERRED back to the Magistrate Judge for additional proceedings.

DONE this 17th day of July, 2020.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE